

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of

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Petition of the National Public Safety  
Telecommunications Council for  
Further Rulemaking to Allocate  
Spectrum in the 138-144 MHz Band  
for Public Safety

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RM-9274

Reply Comments of  
**THE STATE OF FLORIDA**

1. The State of Florida, Bureau of Wireless Communications, is a licensed user of public safety spectrum and has statutory responsibilities regarding the communications of other state and local public safety agencies within Florida. We are acutely aware of the need for additional spectrum below 800 MHz and submit these reply comments in strong support of allocation of the 138-144 MHz Band to public safety<sup>1</sup>.
2. We generally concur with and support the initial comments filed in this proceeding by APCO, State of California, California Highway Patrol, New York State Police, Los Angeles County, FCCA, and CPRA. Many of the situations expressed in those comments are experienced within Florida by both state and local public safety agencies. We strongly believe that the benefits of an allocation of these frequencies to public safety will far outweigh those derived from an auction. We urge the Commission to take advantage of this rare opportunity to enhance the public safety spectrum available in the VHF High Band.
3. Following allocation of the 138-144 MHz band to public safety, we suggest that further rules for this spectrum be developed in a manner similar to that being done for the 746-806 MHz band. This would allow the widest participation of public safety agencies and regional committees in the planning process, and would insure that both state and local public safety needs are suitably accommodated.
4. On behalf of state and local public safety agencies throughout Florida, we urge the Commission to allocate the 138-144 MHz band for exclusive public safety use.

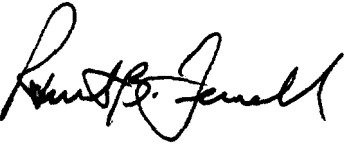
<sup>1</sup> Our initial comments in this proceeding (submitted by fax) were apparently not received by the Commission, and we have attached those comments to this document. We ask that our initial comments be considered in the Commission's further deliberations in this matter.

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Respectfully submitted,

*for* 

John R. DiSalvo, P.E., Chief  
Bureau of Wireless Communications  
Information Technology Program  
Department of Management Services  
State of Florida

June 26, 1998

JRD:RBF:RM-9274 Reply.doc

Enc: Comments in RM-9274 dated 6/12/98

cc: Governor Lawton Chiles  
Senator Connie Mack  
Senator Bob Graham  
Linda Nelson



DEPARTMENT OF MANAGEMENT  
**SERVICES**

4050 Esplanade Way • Tallahassee, Florida 32399-0950

LAWTON CHILES, GOVERNOR

WILLIAM H. LINDNER, SECRETARY

**Information Technology Program**

June 12, 1998

Federal Communications Commission  
1919 M Street N.W.  
Washington D.C. 20554

**Re: RM 9274. Petition of the National Public Safety Telecommunications Council for Further Rulemaking to Allocate Spectrum in the 138-144 MHz Band for Public Safety**

**COMMENTS OF THE STATE OF FLORIDA**

1. The State of Florida, Bureau of Wireless Communications, submits these comments in response to the above referenced matter. As a licensed user of public safety spectrum, and an agency with regulatory responsibility for other state and local public safety agencies within Florida, we are acutely aware of the need for additional spectrum below 800 MHz and have strong interests in this proceeding.
2. Many public safety agencies within Florida have benefited from 800 MHz allocations available to public safety, and look forward to further improvements as the newest allocations in the 746-806 MHz band becomes available. These agencies have generally been those in the largest municipal areas where funding is greatest and the technological improvements available in 800 MHz are most cost effective. We commend the Commission for its efforts in response to these public safety needs.
3. Many other public safety agencies however depend solely on spectrum below 800 MHz, and have neither the funding nor incentive to implement systems in 800 MHz. These agencies are generally those with less than a few hundred users but with large and mostly rural coverage areas, such as county sheriffs. Most of these users rely on frequencies in the VHF High Band (150-160 MHz) which were originally authorized twenty or thirty years ago. As the certified frequency coordinators can attest, additional VHF High Band channels were largely exhausted by about 1980, although many agencies remain in desperate need of additional spectrum in this band.
4. Public safety agencies using VHF High Band channels find that the large coverage areas obtainable from single-site systems, combined with the excellent performance of these channels in wooded, rural areas make this band much more desirable and cost effective than either the UHF or 800 MHz bands. We expect that large numbers of these users will continue to use VHF High band frequencies for the foreseeable future.



Federal Communications Commission

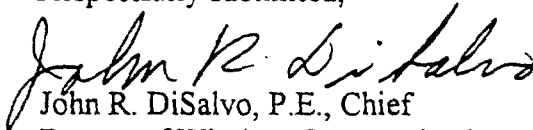
June 12, 1998

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5. An allocation of a portion of the 138-144 MHz band, such as 3 MHz, to public safety would alleviate not only channel congestion, but also many of the other difficulties faced by public safety users in this band. Such an allocation would allow further pairing of channels so that outmoded simplex systems could be replaced with mobile-relay systems. The additional spectrum would also allow sufficient room to enable practical transition plans for migration to narrowband systems in accordance with "spectrum refarming". Most of the VHF High Band spectrum within Florida is so tightly packed that neither expansion nor technological migration is possible without new spectrum.

6. For all of the reasons expressed above, and on behalf of state and local public safety agencies throughout Florida, we urge the Commission to undertake all steps necessary to allocate a minimum of 3 MHz of the 138-144 MHz band for exclusive public safety use.

Respectfully submitted,



John R. DiSalvo, P.E., Chief  
Bureau of Wireless Communications  
Information Technology Program  
Department of Management Services  
State of Florida

JRD:RBF:138-144Comments.doc

cc: Governor Lawton Chiles  
Senator Connie Mack  
Senator Bob Graham  
Linda Nelson